

# National Marine Fisheries Service

## Instructions for a Marine Mammal General Authorization Letter of Intent

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## Introduction

These instructions are for submitting a Letter of Intent (LOI) under the Marine Mammal Protection Act (MMPA) General Authorization (GA) for *bona fide* scientific research<sup>1</sup> on non-listed marine mammals for activities involving only Level B harassment<sup>2</sup>.

These instructions are **not** for research on marine mammals listed as endangered or threatened under the Endangered Species Act (ESA). See a [list of ESA species under NMFS' jurisdiction](#). They are also **not** for research that exceeds Level B harassment (*e.g.*, captures, biopsy sampling, or tagging).

### New to the GA? Have questions?

We recommend you visit our [General Authorization web page](#) or see the FAQ on page 16.

### When filling out your LOI:

- Refer to [Chapter 2](#) for guidance on how to use APPS.
- **Save your application every 20 minutes or you will lose information!**
- You do not have to complete your LOI in one session. Your application will remain in draft mode until you submit.
- An \* means it is a required field.

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<sup>1</sup> *Bona fide* scientific research means scientific research on marine mammals conducted by qualified personnel, the results of which: (i) Likely would be accepted for publication in a refereed scientific journal; (ii) Are likely to contribute to the basic knowledge of marine mammal biology or ecology. (Note: This includes, for example, marine mammal parts in a properly curated, professionally accredited scientific collection); or (iii) Are likely to identify, evaluate, or resolve conservation problems.

<sup>2</sup> Level B harassment means any act of pursuit, torment, or annoyance which has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering but which does not have the potential to injure a marine mammal or marine mammal stock in the wild.

- You may want to use these instructions as a template to draft your LOI in a Word doc and then cut and paste into APPS. However, note that certain formatting and special characters may be either lost or migrated incorrectly.
- 
- Attachments cannot be larger than 20MB – contact us if you have larger files you need to attach.
- Your LOI must be a stand-alone document that describes all proposed activities and is readable to a layperson.
- If you do not follow these instructions, your LOI will be returned and you will be asked to resubmit a new LOI that includes the information required.
- We can only consider those activities that you describe in your LOI.
- We will not consider your LOI if you have overdue reports for your most recent permit or Letter of Confirmation (LOC).

### Need help?

We encourage you to contact us with questions before submitting your application. You can reach us at the phone number on the bottom of this page.

## Letter of Intent

### Project Information

**File Number:** This number is generated by APPS and cannot be changed. To facilitate processing, reference this File No. in correspondence with our office.

**\*Project Title** (up to 255 characters): Provide a concise title that includes activities, species (or taxa if multiple species), location, and purpose of the study. For example:

- *Boat-based photo-ID of bottlenose dolphins in the Gulf of Mexico to characterize population structure and movement patterns.*

**\*Project Status:** The project status (New or Renewal) is automatically selected based on your answers in the APPS pre-application guide (PAG). Do not change this field.

**Previous Federal or State Permit #:** If applicable, enter your most recent and closely related NMFS LOC or permit number. Otherwise, leave blank.

**\*Permits Requested:** MMPA General Authorization should be listed based on your answers in the APPS pre-application guide.

**\*Where Will the Activities Occur?** One or more general locations will be listed based on your answers in the APPS pre-application guide.

**\*Research Timeframe:** Enter the desired start and end dates of the entire project in the following format: MM/DD/YYYY. The start date cannot be before the date you submit the application and should be at least 4-6 months after the date you submit. The end date must be within 5 years of the start date because LOCs are valid for a maximum of 5 years.

**\*Sampling Season/Project Duration** (up to 1,000 characters)

- Describe your annual field season(s) including the months of the year.
- Include the frequency of fieldwork (*e.g.*, when and how many times per year will you conduct the research activities?).

**\*Abstract** (up to 2,000 characters): a short summary that must include:

- Purpose of the research.
- Species that may be harassed (common names). For research on multiple species, you can summarize instead of listing every one. For example: *6 species of cetaceans and 2 species of pinnipeds.*
- Take activities (*e.g.*, boat based photo-ID).
- Specific geographic locations.
- Requested duration of the LOC (the maximum is 5 years).

**\*Project Purpose: Hypothesis/Objectives and Justification** (up to 64,000 characters)

1. Identify and discuss the research question(s) or purpose of your project.

## Bona Fide Research

The information in your application should demonstrate how your proposed research is *bona fide*, including how the results of your research:

- are likely to be accepted for publication in a refereed scientific journal;
- are likely to contribute to the basic knowledge of the species biology or ecology; or
- are likely to identify, evaluate, or resolve conservation problems

2. Briefly summarize published findings related to your research.
  - If you previously held or worked under an LOC or research permit, use literature citations from that work to show how you previously met your objectives; and/or
  - Use other published literature on the subject.
3. Describe how this study is different from, builds upon, and/or duplicates past research.
4. Explain how you estimated your take numbers (see guidance on pages 10-11 for how to count take).
  - For example, did you base them on previous encounter rates or abundance estimates for your study area and the number of surveys to be conducted?
  - If appropriate for your study, include a power analysis or other sample size estimation to show whether the sample size is sufficient to provide statistically significant or otherwise robust results.
  - Indicate the number of times known individuals will be intentionally harassed in a year. Explain why these takes are needed to meet your objectives.

**\*Project Description** (up to 64,000 characters)

### **Methods**

Describe your methodologies. Your narrative description must match your APPS take table (see Take Table section below). Every procedure listed in the take table must be described here. It is helpful to reference take table lines in the narrative that correspond to the take actions and procedures. Be sure to provide:

- Clear descriptions of all methods (*i.e.*, procedures) for each species. See Additional Guidance section below.
- A brief statement of each method's purpose (*i.e.*, how the activity relates to meeting your objectives).
- Define how you differentiate age classes (e.g., neonate, calf/pup, juvenile, subadult, adult). If applicable, distinguish by taxa or species.

Questions or Problems? Contact the NMFS Permits and Conservation Division:

- If working with dependent calves/pups, their moms, or known pregnant females, give specific protocols for working around them, including how you will avoid separating mothers from calves/pups.
- Mitigation measures that are inherent to your methods may be included in this section or in the Effects and Mitigation section below.
- Figures and photographs that illustrate your methods. You can attach them on the Project Supplemental Information page.
- Citations for the methods where applicable, but do not substitute a literature citation in lieu of a complete description of the methods. You can attach a Literature Cited on the Project Supplemental Information page. References must be made available upon request.
- See Additional Guidance section below.

### **Additional Guidance for Commonly Used Methods:**

#### **Aerial, ground, and vessel surveys**

Type of aircraft and vessel

Type of survey (*e.g.*, line transect, photogrammetry)

Track lines (maps may be attached separately)

Number of surveys per year

Air speed

Vessel speed

Minimum altitude or [approach](#) distance to animals

Protocols for breaking track to ID species

Protocols for approaching on land, whether a blind or cover will be used

Number of platforms (aircraft and vessel) to be operated at the same time

Duration spent with group or individual/day

#### **Unmanned aircraft systems (UAS)**

Provide the general aerial survey information above and the following:

Type of UAS – fixed wing or vertical takeoff and landing (VTOL)

Payload components – what is the UAS carrying and for what purpose (*e.g.*, camera, sensor)?

Ground control station (what it is, where is it located - on shore or on vessel, number of stations, and how close the station will be to animals)

Encounter duration – maximum amount of time over same animals

Number of platforms (UAS) to be operated at the same time  
Do you have the appropriate FAA permits/authorizations (including pilot licenses)?

**Remotely operated vehicle (ROV), vessel or amphibious**

For underwater and amphibious ROVs, same details as for vessel surveys and also:

Description and size of ROV  
Whether it is tethered or wireless, tether material and length  
Describe any light sources  
Whether there will be a live video feed monitored  
Encounter duration

**Data collection**

Examples include behavioral observations via focal follows and ground surveys, collecting scat/spew, photo-ID, passive acoustic monitoring, photogrammetry, and remote video monitoring.

Be sure to discuss the following, as applicable:

Approach method (*e.g.*, by foot, vessel or aircraft)  
Filming/photography equipment and methods  
Minimum approach distances  
Within sight of animals or not (*e.g.*, from a blind)?  
Number of observations/sampling per year  
Frequency of observations/sampling per year (*e.g.*, monthly)  
Samples to be collected and method (*e.g.*, scat by hand)  
Number of attempts per animal/day for biological sampling  
Duration of observations/sampling/day  
Data analysis

**Underwater photography/videography**

Method (*e.g.*, snorkeling, underwater pole cam, conventional scuba gear, or re-breathers)

Maximum number of individuals in the water at a given time and their roles  
(including safety divers)

Minimum approach distance to animals  
Maximum amount of time spent with same animals/day

**Effects and Mitigation:**

You may include mitigation and monitoring protocols here, or above in your methods. Do not restate them here if they are included above; simply reference the section where the following information is found.

- For each method (procedure), describe the anticipated responses of the animals (type, severity, and duration of harassment).
- Describe what you will do to minimize those responses, including:
  - If your activities coincide with reproductive seasons or maternal care, how will you avoid disrupting these sensitive periods and ensure mother-calf/pup pairs are not separated?
  - Explain how your research will not result in injury or mortality.
  - Describe if you will employ mitigation measures when you observe **unintended adverse reactions**. If you would use the same measures for a suite of activities, you may provide one discussion for that suite of activities.
  - If applicable, you can cite an ethogram to illustrate potential responses.
- Please describe any mitigation you will take to avoid or minimize impacts to non-target protected taxa (e.g., sea turtles, corals, USFWS species). Discuss whether and how they may be incidentally harassed or otherwise affected.

**Non-target Marine Mammals:**

Discuss whether and how non-target marine mammals may be encountered in your study area. These are species that co-occur with your target species and that could be harassed or taken during your research.

- The GA cannot authorize you to take threatened or endangered species. If ESA-listed species occur in your study area, explain how you will identify and avoid them (*e.g.*, not in area during time of study; would not approach closer than 100 meters; would halt operations until non-target species moved out of study area).
- If takes to non-target, non-ESA listed marine mammals may occur, include these as separate rows in your Take Table with incidental harassment in the

Questions or Problems? Contact the NMFS Permits and Conservation Division:



procedure column. These could be non-target conspecifics or other species of marine mammals.

### Research Coordination

- Include the names and affiliations of other researchers you will coordinate with and specifically how this will occur to minimize repeated disturbance to marine mammals.
- Indicate how you will collaborate with other researchers, including if you will be contributing to a regional photo-ID catalog or otherwise sharing data.

### Project Supplemental Information

#### Attach a Supplemental Information File

You can attach up to 10 files to provide additional information.

- Preferred file formats: Word, Excel, PDF, or text.
- The maximum file size allowed is 20 MB.
- Audio and video files (such as mp3, m4b, wav) cannot be uploaded. Contact us if you need assistance.
- On the Location screen you will be asked to attach a map.

#### Attach a References File

Attach a bibliography of references cited in your LOI. Referenced materials must be made available upon request, as needed for evaluation of the LOI or preparation of any necessary NEPA analyses. If a link to your referenced material is available, add the link to your References File.

### \*Project Locations and Take Information

First, you will describe where you plan to work. Then, for each location, you will use the Take Table to list the species you expect to encounter and the take procedures you will conduct.

1. Add **New Location**: provide information about one or more study areas
  - General area (ocean basin)
  - State(s), as applicable.
2. Enter **Location Details**, as applicable:
  - Waterbody: enter names of rivers, estuaries, bays, etc.

- Latitude and longitude of your study area
- Limits of your study area (*e.g.*, to the U.S. EEZ, to the edge of the continental shelf, to 50m depth)
- Names of land masses where research will occur (*e.g.*, islands, rookeries).

3. **Attach File:** Include high quality map(s) to scale that clearly shows the location of your proposed activity and any environmental aspects of interest. Include a shapefile, Google Earth kmz/kml, or ASCII text file of the project's location and the footprint of the affected area with lat/long data and the associated basic metadata.

### \*Take Table

The take table summarizes the **estimated number of animals** you expect to encounter **annually** during research. See the sidebars on the following pages for guidance on how to count animals.

Columns you will fill out in the take table:

1. **Select:** Leave this box blank unless you need to copy, move, or delete the row.
2. **Species:** Use the drop down list. The GA is for non-ESA listed species only. You **cannot** select endangered or threatened species.
3. **Listing Unit/Stock:** Select the applicable stock. Choose Range-wide if your location has multiple stocks of the same species and you cannot distinguish them while in the field.

## How to count takes of pinnipeds

**Count 1** take per animal per day for those **hauled-out animals** that react to the research, regardless of the number of responses, including:

- movements of twice the animal's body length or more,
- changes of direction greater than 90 degrees, or
- retreats (flushes) to the water.

Count 1 take per animal per day for those **animals in water** that exhibit a noticeable adverse behavioral response from your activities

**Do not count** alert behaviors such as:

- turning head towards the disturbance,
- craning head and neck while holding the body rigid in a u-shaped position,
- changing from a lying to a sitting position, or
- brief movements of less than twice the animal's body length.

Questions or Problems? Contact the NMFS Permits and Conservation Division:

4. **Production/Origin:** Select Wild.
5. **Life Stage:** Select from the drop-down list. You may enter take information for more than one life stage (*e.g.*, adult and juvenile) on separate rows or select a combination of life stages for one take category.
6. **Sex:** Select from the drop-down list. If your activity targets only one sex, indicate which. If it targets both and they can be targeted separately, enter separate rows for male and female; otherwise select Male and Female.
7. **Expected Take:** This represents a **reasonable estimate** of the number of animals you will encounter, **annually**. Under the GA, you will not be limited to this number or penalized if you exceed this number.

**For cetaceans and pinnipeds:** in the Project Description, you must indicate **how many times per day** you would approach the same animal or group of animals as well as **how many times per year** you will target the same group of animals.

8. **Take Action:** Select Harass.
9. **Observe/Collect Method:** Select the method of observation (*e.g.*, survey, vessel). If various methods will be used, you must provide take information in separate rows. If you will be approaching animals from a boat to fly UAS surveys, select “survey, aerial/vessel.”
10. **Procedures:** Provide specific information on the research activities that may cause Level B harassment. A separate pop-up window will appear with a species-specific list of activities. Hold down the Control key to select all activities to be performed concurrently.

## How to count takes of cetaceans

Count every animal approached regardless of whether a behavioral reaction has occurred.

**During vessel surveys,** only count 1 take per animal per day including all approaches. An “approach” is defined as a continuous sequence of maneuvers involving a vessel, equipment, or researcher’s body, including drifting, directed toward a cetacean or group of cetaceans closer than 100 yards for baleen and sperm whales and 50 yards for all other cetaceans.

**During aerial surveys** (manned or UAS) flown at an altitude lower than 1,000 feet, count 1 take per animal observed per day, regardless of the number of passes over the same animal.

- a. Choose Other if your proposed activity is not listed. In the Details box (see below), briefly describe what the Other means.
11. **Begin Date:** Populated with the Begin Date you entered on the Project Information page. You may change the date to coincide with a specific project time that is shorter than the overall duration of the project.
12. **End Date:** Populated with the End Date entered on the Project Information page. You may change the date to coincide with a specific project time shorter than the overall duration of the project.
13. **Details:** You may enter up to 255 characters in this text box to provide details on each take table line. This is especially useful for clarifying age class, takes, intentional repeated takes, specific activities, or projects.

### \*Anticipated Effects on the Environment

1. Will you be working in or near areas with unique environmental characteristics or important scientific, cultural or historical resources?  
Examples include:
  - Animals used for subsistence
  - Archaeological resources
  - [Critical Habitat of ESA-listed species](#)
  - [Essential Fish Habitat](#) including wetlands, coral reefs, sea grasses, and rivers
  - Federally recognized Tribal and Native Alaskan lands, cultural or natural resources, or religious or cultural sites
  - [Marine Protected Areas](#)
  - Minority or low-income communities
  - [National](#) or State Parks
  - [National Marine Sanctuaries](#) and [National Monuments](#)
  - [National Historic Landmarks](#)
  - Sites listed in or eligible for listing in the [National Register of Historic Places](#)
  - [Wild and Scenic Rivers](#)
  - [Wilderness Areas](#)
  - [Wildlife Refuges](#)

- a. If yes, please list those areas. As applicable, mention if you will need to or have already obtained permission (licenses, permits, authorizations) to work in these areas.
  - b. How would your activities affect such resources? What measures will you take to ensure your work does not cause loss or destruction of such resources?
  - c. For marine mammal activities in Alaska or Washington, how will you ensure your project does not adversely affect the availability (*e.g.*, distribution, abundance) or suitability (*e.g.*, food safety) of marine mammals for subsistence uses?
2. Discuss if your activities have the potential to impact the physical or biological environment, in particular coastal and marine environments. Impacts can be positive or negative. Examples of potential impacts include:
- Altering substrate while anchoring vessels and buoys.
  - Using bottom trawls or other types of nets.
  - Erecting blinds or other structures.
  - Ingress and egress of researchers.
  - Injuring or killing benthic organisms (*e.g.*, sea grass, corals).
  - Altering the physical or chemical characteristics of water (*e.g.*, oil spills)
  - Affecting a species' abundance or distribution.
3. Does your project involve activities known or suspected of introducing or spreading invasive species, intentionally or not? Examples include transporting animals or other biological specimens, discharging ballast water, and using boats/equipment at multiple sites.

Describe measures you would take to prevent the possible introduction or spread of non-indigenous or invasive species, including plants, animals, microbes, or other biological agents.

4. Will your activities involve collecting, handling, or transporting potentially infectious agents or pathogens, such as biological specimens (animals, blood, tissues)?

Will your activities involve using or transporting hazardous substances, such as toxic chemicals?

If yes to either question, describe the protocols you will use to ensure that public health and human safety are not adversely affected, such as by spread of zoonotic diseases, chemical injuries, or contamination of food or water supplies.

5. Do your activities involve equipment (*e.g.*, scientific instruments) or techniques that are new, untested, or have unknown or uncertain impacts on the biological or physical environment?

If yes:

- a. Briefly describe the equipment or techniques and provide any information about the use of these in your study area, other areas, and/or with other taxa.
- b. Discuss the degree to which they are likely to be adopted by others for similar activities or applied more broadly.

### \*Project Contacts

As the person entering the application, you will automatically be assigned the following roles: **Applicant/Permit Holder, Principal Investigator, and Primary Contact.**

1. You may need to change or add personnel. See [Chapter 2](#) for directions on how to change who is assigned to these roles.
2. Use the guidance below to help you decide who should have what role.
3. To prevent duplicate entries, **ALWAYS search APPS for the person before entering a new contact.** Start with only putting the last name in APPS search box.
4. Include a table (see example Table 2) listing the names of the PI and CIs, and the specific procedures they will oversee or conduct. **Attach the table on the Supplemental Information page.**
5. As you add personnel, **check whether each person already has a Qualifications Form (QF) in APPS.** It will appear next to their name once you add them to your Contacts page. If there is not a QF in APPS, then attach one for the PI and each CI. See Qualifications and Experience below.

Questions or Problems? Contact the NMFS Permits and Conservation Division:

## Descriptions of Personnel Roles

A project must have a **Responsible Party if the Applicant/Permit Holder is an organization, institution, or agency**. The Responsible Party or Applicant/Permit Holder is an official who has the legal authority to bind the organization, institution, or agency and is ultimately responsible for the activities of any individual operating under the authority of the permit.

The **Principal Investigator (PI)** is the individual primarily responsible for the take and any related activities conducted under the LOC. There can only be one PI on an LOC. The PI:

- Must have qualifications, knowledge, and experience relevant to the activities authorized by the permit
- Must be on site during activities conducted under the permit unless a Co-Investigator is present to act in place of the PI
- May also be the Applicant/Permit Holder and Primary Contact.

The **Primary Contact** is the person primarily responsible for correspondence during the application review process and after a permit is issued. Typically this person administers the LOC, requests amendments/modifications (*e.g.*, personnel changes, filming requests), and submits reports. The Primary Contact may also serve other roles on the permit (*e.g.*, Applicant/Permit Holder, PI, CI).

**The Applicant/Permit Holder or Responsible Party, PI, and Primary Contact will have access to APPS to enter and edit the application, submit reports and modification requests, and will receive automatic emails from APPS.**

**Co-Investigators (CIs)** are individuals who are qualified and authorized to conduct or directly supervise activities conducted under an LOC without the on-site supervision of the PI.

- You may add CIs to the application if the PI will not always be present during the permitted activities.
- CIs can also be added or removed once an LOC has been issued.

**Research Assistants (RAs)** are individuals who work under the direct and on-site supervision of the PI or a CI. RAs cannot conduct permitted activities in the absence of the PI or a CI. RAs do not need to be named in the application or permit.

### Qualifications and Experience

The PI and each CI must have a Qualifications Form (QF). Previously we accepted CVs, resumes, and biosketches, but often these did not include sufficient information about the person's field experience. The QF is designed to give us the information we need. Once you fill out a QF and attach it to your profile in APPS you won't have to do it again, unless your skills or experience change. Each contact should only have **1** QF in their profile; they may **replace** the existing file with an updated version as they gain new experience.

Persons authorized as the PI or CIs must have qualifications corresponding to their duties. If you do not provide sufficient information, we will not authorize the person(s) to conduct the research or enhancement activities.

In addition, you must submit a table (see Table 1) defining the roles and activities to be performed for the PI and each CI listed in the LOI.

Table 1. Example Personnel Roles

Name/Affiliation	Role	Activities
John Smith, Ph.D., University, City, State	Principal Investigator	Supervise and perform all activities under the LOC
Jane Doe, Ph.D., Institution, City, State	Co-Investigator	Conduct and oversee close approach and photo-ID

### Submit Application

See [Chapter 2](#) for how to submit your application and check on its status.

## Frequently Asked Questions

### What types of research usually qualify as Level B harassment?

- Photo-identification/photogrammetry



- Behavioral observations
- Vessel surveys
- Aerial surveys, manned or unmanned (except those over pinniped rookeries at altitudes < 1,000 feet)
- Other activities may also qualify – call us at the number on the bottom of the page if you have questions.

### What are a Letter of Intent and a Letter of Confirmation?

A Letter of Intent (LOI) is the application you submit. If your activities qualify, you will receive a Letter of Confirmation (LOC) that allows you to conduct your research.

### What are the advantages of applying under the GA?

The GA is an expedited process. It does not require a 30-day public comment period, unlike other permits.

### When should I apply?

At least 4 months before your project will begin, preferably 6 months prior.

### What is the process for getting an LOC?

1. Follow these instructions and contact the NMFS Permits and Conservation Division with any questions.
2. Submit your LOI via [APPS](#).
  - a. A permit analyst will review your LOI and contact you if additional information is needed.
3. Address any questions within 60 days or your LOI will be withdrawn.
  - a. Once we consider your LOI complete, we will draft the LOC and supporting documentation, including the National Environmental Policy Act analysis and other information.
  - b. The Division Chief will sign the LOC if your proposed activities are for *bona fide* research and Level B harassment only.
4. Keep a copy of your LOC with you during field research.

### What is the process for requesting an amendment to an LOC?

Use [APPS](#) to request an amendment to your LOC. You'll need to provide a description of your proposed changes and include all the necessary details for those changes, as applicable. Use these application instructions as a guide. For example, changes to your objectives will require that you discuss all the points in the Project Purpose section. Additions to personnel require Qualifications Forms and descriptions of their roles.

## What if I want to conduct research on endangered or threatened species or conduct research that exceeds Level B harassment?

You should apply for a scientific research permit. Visit our [scientific research permit web page](#) or use the [APPS Pre-Application Guide](#) to start an application.

## Additional Information

Under section 104(c)(3)(C) of the MMPA, as amended, persons may be authorized to take marine mammals in the wild by Level B harassment, as defined in 50 CFR 216.3, for purposes of *bona fide* scientific research. Interested persons are required to submit a letter of intent in accordance with the interim final rule published on October 3, 1994 and submit certain information outlined at 50 CFR 216.45(b) under the General Authorization and provided in these instructions. Regulations implementing the GA may be found at 50 CFR 216.45 [59 FR 50376, Oct. 3, 1994] and are available at the following web site:

<https://www.gpo.gov/fdsys/granule/CFR-2009-title50-vol7/CFR-2009-title50-vol7-sec216-45>. MMPA section 104 is available at the following web site:  
<https://www.fisheries.noaa.gov/marine-mammal-protection-act>.

## Paperwork Reduction Act Statement

The information requested in this application is required. It will be used to determine:

- whether the research described in the LOI is likely to exceed Level B harassment of a marine mammal in the wild,
- whether a scientific research permit is required to conduct all or part of the subject research,
- whether the research as described in the LOI is *bona fide*, and
- the effects of the activity on marine mammals and the environment.

**Public reporting burden for this collection of information is estimated to average 10 hours per response** (*i.e.*, the above application), including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Chief, Permits

and Conservation Division, Office of Protected Resources, F/PR1, NOAA/National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

The LOI and any associated documents, including any reports required under the GA, are considered public information and as such, are subject to the Freedom of Information Act.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.